

1792A
EA-01-19
2800
OR 56775
Polly Hatch Mosby Estate

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

DECISION DOCUMENTATION and FINDING OF NO SIGNIFICANT IMPACT

Road Right-of-Way Grant, OR 56775
Polly Hatch Mosby Estate

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the information contained in the Environmental Assessment, and all other information available to me, it is my determination that: (1) the implementation of the proposed action or alternatives will not have significant environmental impacts beyond those already addressed in the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl* (April 1994) and the *Eugene District Record of Decision and Resource Management Plan* (June 1995); (2) the proposed action and alternatives are in conformance with the *Eugene District Record of Decision and Resource Management Plan*; and (3) the proposed action and alternatives do not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement is not necessary and will not be prepared.

DECISION

Based on the analysis documented in the Environmental Assessment (EA) No. OR090-01-19 and the Finding of No Significant Impact, it is my decision to implement the Proposed Action. The action would approve a Right-of-Way grant to allow the Polly Hatch Mosby Estate: 1) the use of existing BLM roads 21-2-31 and 21-2-5 for a period of two years; and 2) to construct approximately 110 feet of temporary, natural surface road on public land. The temporary road would be blocked upon completion of timber harvest.

ALTERNATIVES

In addition to the selected alternative, the EA considered the effects of the No Action Alternative, in which the Estate owners would use alternate private land access, and would construct approximately 3,750 feet of new road.

DECISION RATIONALE

The Proposed Action was selected because it best meets the needs of the applicant and provides the least impacts to the natural environment. The Proposed Action would result in the least amount of road construction and less impact to soils, streams and riparian vegetation than would the No Action Alternative. The Proposed Action also would avoid active log haul near occupied residences, and would be less visible from adjacent lands.

The Proposed Action is in conformance with the "*Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl*," (NSO ROD, April 1994), and the "*Eugene District Record of Decision and Resource Management Plan*," (RMP, June 1995).

CONSULTATION AND COORDINATION

The Proposed Action would have "no effect" on threatened or endangered species, would not modify critical habitat for threatened or endangered species, and would not likely adversely affect Essential Fish Habitat. Therefore, consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service is not required.

PUBLIC COMMENTS

A public notice advertising the availability of the EA and FONSI appeared in the Eugene Register-Guard on Wednesday, June 27, 2001. Additionally, the EA and FONSI were mailed to interested individuals and organizations (EA, p.6). A 30-day public comment period closed on July 27, 2001. No comments were received.

ADMINISTRATIVE REVIEW OPPORTUNITIES

The decision to implement this action may be appealed to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of the Interior, in accordance with the regulations contained in 43 CFR Part 4. However, as provided under 43 CFR 2804.1(b), this decision shall remain effective pending appeal unless the Secretary rules otherwise. Thus, implementation of this decision may occur during the appeal period.

If an appeal is taken, the notice of appeal must be filed in this office on or before August 31, 2001, for transmittal to the Board. A copy of the notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 500 NE Multnomah Street, Suite 607, Portland, Oregon 97323, within the same time frame. In taking an appeal, there must be strict compliance with the regulations. In accordance with 43 CFR 4.21, an appellant has the right to petition the Office of Hearing and Appeals to stay the implementation of the decision; however, an appellant must show standing and present reasons for requesting a stay of the decision. The petition for stay must be filed together with a timely notice of appeal.

Signed by: Sally Sovey
Acting South Valley Field Manager

Date: July 30, 2001